

633A.3108 Limitation on contest of revocable trust.

Unless notice is given as provided in section 633A.3109, the following provisions shall apply:

1. Unless previously barred by adjudication, consent, or other limitation, a proceeding to contest the validity of a revocable trust must be brought no later than one year following the death of the settlor.

2. Unless the trustee is a party to a pending proceeding contesting its validity, on or after the date six months following the death of the settlor, the trustee of a revocable trust may assume the trust's validity and proceed to distribute the trust property in accordance with the terms of the trust, without liability for so doing. Liability for an improper distribution in such a case is solely on the beneficiaries.

99 Acts, ch 125, §32, 109; 2000 Acts, ch 1150, §17

C2001, §633.3108

2005 Acts, ch 38, §54, 55

CS2005, §633A.3108

2008 Acts, ch 1119, §29, 39

[SP] 2008 amendments to subsection 2 apply to trusts in existence on or after July 1, 2008; 2008 Acts, ch 1119, §39